

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
ASBESTOS LITIGATION

Docket No: **L-4955-14 (AS)**

FREDERICK & ROCHELL UMSCHWEIS,  <i>Plaintiff(s),</i>  vs.  AIR & LIQUID SYSTEMS, et al  <i>Defendant(s).</i>
--

Civil Action

CASE MANAGEMENT ORDER I

This matter coming in for a Case Management Conference before Special Master Agatha N. Dzikiewicz and the following parties on December 12, 2014:

FIRM	ATTORNEY	CLIENT
Weitz & Luxenberg	Robert Silverman	Plaintiff(s)
Caruso Smith	Marcia DePolo	CertainTeed; Union Carbide
Hoagland Longo	Steven Satz	Goulds Pumps
Jones Law Office	Richard V. Jones	Metropolitan Life
Kelley Jasons	Angela Caliendo	FMC
Leader & Berkon	Joseph Fontak	Spirax Sarco
Marshall Dennehey	Douglas D. Suplee	BMCE, Inc.
McElroy Deutsch	Kathryn B. Carey	Pfizer; Flowserve; Rockwell
McGivney Kluger	Caitlin Christie	Atwood & Morrill
Reilly Janiczek	Edward Kang	ITT Corp.
Segal McCambridge	Stephanie DeVos	BW/IP
Wilbrham Lawler	Andrea Greco	Buffalo Pumps

IT IS on this 16<sup>th</sup> day of December, 2014 effective from the conference date;

ORDERED as follows:

Counsel receiving this Order through computerized electronic medium (E-Mail) shall be deemed by the court to have received a copy of the filed original court document. Any document served pursuant to this Order shall be deemed to be served by mail pursuant to R.1:5-2.

Defense counsel shall notify plaintiffs' counsel within thirty (30) days of the date of this Order if their client was incorrectly named in the Complaint. Counsel may be barred from raising this defense at a later time for failure to comply.

**DISCOVERY**

January 16, 2015

Plaintiff shall propound supplemental interrogatories and document requests by this date.

February 16, 2015 Defendants shall serve answers to supplemental interrogatories and document requests by this date.

January 16, 2015 Defendants shall propound supplemental interrogatories and document requests by this date.

February 16, 2015 Plaintiff shall serve answers to supplemental interrogatories and document requests by this date.

March 6, 2015 Fact discovery, including depositions, shall be completed by this date. Plaintiff's counsel shall contact the Special Master within one week of this deadline if all fact discovery is not completed.

### **EARLY SETTLEMENT**

March 6, 2015 Settlement demands shall be served on all counsel and the Special Master by this date.

### **SUMMARY JUDGMENT MOTION PRACTICE**

April 10, 2015 Summary judgment motions shall be filed no later than this date.

May 8, 2015 Last return date for summary judgment motions.

### **MEDICAL DEFENSE**

February 27, 2015 Plaintiff shall serve medical expert reports by this date.

February 27, 2015 Plaintiff is to arrange for the transfer of pathology specimens and x-rays, if any, by this date.

May 22, 2015 Defendants shall identify its medical experts and serve medical expert reports, if any, by this date. **In addition, defendants shall notify plaintiff's counsel (as well as all counsel of record) of a joinder in an expert medical defense by this date.**

### **LIABILITY EXPERT REPORTS**

March 31, 2015 Plaintiff shall identify its liability experts and serve liability expert reports or a certified expert statement by this date or waive any opportunity to rely on liability expert testimony.

May 22, 2015 Defendants shall identify its liability experts and serve liability expert reports, if any, by this date or waive any opportunity to rely on liability expert testimony.

### **EXPERT DEPOSITIONS**

June 12, 2015 Expert depositions shall be completed by this date. To the extent that plaintiff and defendant generic experts have been deposed before, the parties seeking that deposition in this case must file an application before the Special Master and demonstrate the necessity for that deposition. To the extent possible, documents

requested in a deposition notice directed to an expert shall be produced three days in advance of the expert deposition. The expert shall not be required to produce documents that are readily accessible in the public domain.

**PRE-TRIAL AND TRIAL**

June 5, 2015 @ 10:00am Settlement conference. All defense counsel shall appear with authority to negotiate settlement and have a representative authorized to negotiate settlement available by phone. Any request to be excused from the settlement conference shall be made to the Special Master no later than 4:00pm of the day prior to the conference.

June 29, 2015 Trial Date.

**Plaintiff's counsel shall serve a copy of this Order upon any additional counsel immediately upon receipt.**

*/s/ Ana C. Viscomi*  
ANA C. VISCOMI, J.S.C.

cc: counsel:

Goldfein & Joseph

cc: Clerk, Mass Tort  
Brody Deposition Services  
Priority One